

Fifth Session - Fortieth Legislature

of the

Legislative Assembly of Manitoba

DEBATES

and

PROCEEDINGS

Official Report
(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Fortieth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy	St. Vital	NDP
ALLUM, James, Hon.	Fort Garry-Riverview	NDP
ALTEMEYER, Rob	Wolseley	NDP
ASHTON, Steve, Hon.	Thompson	NDP
BLADY, Sharon, Hon.	Kirkfield Park	NDP
BRAUN, Erna, Hon.	Rossmere	NDP
BRIESE, Stuart	Agassiz	PC
CALDWELL, Drew, Hon.	Brandon East	NDP
CHIEF, Kevin, Hon.	Point Douglas	NDP
CHOMIAK, Dave, Hon.	Kildonan	NDP
CROTHERS, Deanne, Hon.	St. James	NDP
CULLEN, Cliff	Spruce Woods	PC
DEWAR, Greg, Hon.	Selkirk	NDP
DRIEDGER, Myrna	Charleswood	PC
EICHLER, Ralph	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FRIESEN, Cameron	Morden-Winkler	PC
GAUDREAU, Dave	St. Norbert	NDP
GERRARD, Jon, Hon.	River Heights	Liberal
GOERTZEN, Kelvin	Steinbach	PC
GRAYDON, Cliff	Emerson	PC
HELWER, Reg	Brandon West	PC
HOWARD, Jennifer	Fort Rouge	NDP
IRVIN-ROSS, Kerri, Hon.	Fort Richmond	NDP
JHA, Bidhu	Radisson	NDP
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LEMIEUX, Ron, Hon.	Dawson Trail	NDP
MACKINTOSH, Gord, Hon.	St. Johns	NDP
MALOWAY, Jim	Elmwood	NDP
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MARCELINO, Ted	Tyndall Park	NDP
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WIGHT, Melanie, Hon.	Burrows	NDP
WISHART, Ian	Portage la Prairie	PC
<i>Vacant</i>	Gimli	—
<i>Vacant</i>	Southdale	—

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, March 10, 2016

The House met at 10 a.m.

Mr. Speaker: O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom and know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

Good morning, everyone. Please be seated.

Speaker's Ruling

Mr. Speaker: For the information of the House, I would like to clarify the results of the vote conducted yesterday, March 9th, 2016, on the Opposition Day motion sponsored by the honourable member for Steinbach (Mr. Goertzen).

At the time of vote, the honourable member for River Heights (Mr. Gerrard) was counted as voting against the motion, reflected in the count of Yeas 19, Nays 33. However, upon consideration of this matter, I determined that the member did not rise at the appropriate time when asked for members to stand and indicate their voting preference. The member did stand after the votes had been tallied to indicate that he had voted—had he voted he would have voted against the motion. But that moment was too late for him to register his voting intentions.

For the record, then, I am ruling that the result of the vote of the Opposition Day motion sponsored by the honourable member for Steinbach was, in fact: Yeas, 19; Nays, 32. This ruling is consistent with the rulings in similar situations made by Deputy Speaker Brick in 2010 and by Speaker Hickes in 2005.

I must also point out that during this division the House was quite noisy with many members talking while the vote was being conducted. This was part of the problem in this case. Had the House been silent it would have been easier for me and for the table officers to determine what was transpiring and to react accordingly. I am therefore reminding members that the House should be silent during a division except for the page and the Clerk conducting the

vote, and I thank honourable members for their attention to this matter.

ORDERS OF THE DAY

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I just—thank you for your ruling.

Mr. Speaker, I know that private members' business time is not the usual time for consideration of government bills, and I want to thank the House leaders and all members of the House for allowing me to stand and asking for the leaves, the following leaves that I'm asking for.

So, could you please canvass the House for leave to consider second reading of Bill 22, followed immediately by consideration of that bill in Committee of the Whole, and have the Chairperson report to the House. After that, Mr. Speaker, it will be followed by consideration of the government motion on the Order Paper relating to the refund of fees for Bill 300.

And could you also please canvass the House for leave for the PMR that follows to go for one hour and for that PMR to start as soon as the previous items have been dealt with.

Mr. Speaker: Now, you're really testing my memory here. As fast as I could write I'm not sure I could get all that written down, so if the honourable minister has a sheet for that, that would be quite helpful. I'd thank him for it.

I thank the honourable minister.

Is there consideration of the House to give leave to consider second reading of Bill 22? *[Agreed]*

And that following immediately second reading of that bill, should it pass, it would move to consideration of Bill 22 in the Committee of the Whole? Is that agreed? *[Agreed]*

And after that business is concluded, if there is time permitting, it will be followed by the consideration of the government motion on the Order Paper relating to the refund of fees for Bill 300. Is that agreed, for Bill 300 to consider the refund of the fees? *[Agreed]*

And also, while I'm on my feet, is it the will of the House to have the report of Bill 22 reported back to the House? *[Agreed]*

And then we'll agree—do we agree in the House that the private members' resolution will go to one hour and will start immediately after that point? *[Agreed]*

Thank the honourable minister and members of the House for that.

GOVERNMENT BUSINESS

SECOND READINGS

Bill 22—The Elections Amendment Act (Signatures Required for Nomination Document)

Mr. Speaker: So we'll proceed to call for debate, under government motions, bill—or, pardon me, under second readings, Bill 22, The Elections Amendment Act (Signatures Required for Nomination Document).

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I move, seconded by the member for Steinbach, that Bill 22, The Elections Amendment Act (Signatures Required for Nomination Document); Loi modifiant la Loi électorale (nombre de signatures exigées sur les documents de mise en candidature), be now read a second time and be referred to a Committee of the Whole.

Mr. Speaker: Before I read back this motion I want to remind honourable members that when they're in the Chamber please turn off their cellphones so they don't disrupt the proceedings of the House.

Motion presented.

Is there any debate on this matter?

An Honourable Member: Question and answer.

Mr. Speaker: Oh, pardon me. All right. So—if there's no debate by the minister, we'll proceed directly to questions on this matter.

Mr. Kelvin Goertzen (Steinbach): Good morning, Mr. Speaker, I just have a few questions for the minister. It's my understanding that this bill—

* (10:10)

Mr. Speaker: Order, please. Just a few moments ago I reminded the House of how chatter in the House has the ability to disrupt the proceedings of the House, and I asked for the co-operation of

honourable members. If you have conversations you wish to have, which I fully understand, we have a loge to the right and to the left of me and also members, if they wish, they can move their conversations outside of the Chamber and that would be quite helpful. So I'm asking for the co-operation of honourable members.

I'm sorry to interrupt the honourable member for Steinbach.

Mr. Goertzen: No, thank you, Mr. Speaker. That was a worthy interruption.

My question is for the member for—the minister responsible. My understanding is that this bill comes from a recommendation from the Chief Electoral Officer. It's my understanding that it's been a long-term recommendation by the Chief Electoral Officer.

Is that correct?

Mr. Chomiak: Yes, Mr. Speaker, the—every year the Chief Electoral Officer makes recommendations to the Legislative Assembly via committee, and we try very hard to put in place those recommendations. In the—in to this particular instance we are aware that there was a need to move on this particular issue, primarily because the Chief Electoral Officer explained to us that the time consumed by enumerators and others with respect to these addresses was considerable in terms of verifying addresses, confirming that the addresses were on the list, particularly in areas that are outside of urban centres where it's sometimes difficult to ascertain the exact location. And the request was of an administrative nature based on the need to make the job, which is already difficult for enumerators and for the electoral officers in all the districts, to put more emphasis on a number of other aspects of the job.

And, Mr. Speaker, in regard to this particular recommendation, insofar as it was a recommendation and insofar it was administrative issue, we discussed it and we had the all-party agreement at the committee that it was certainly our opinion that the matter was of an administrative nature. And because the matter related to the—to improving the electoral process for those people who are—who spend the time during elections to do that, that it ought to be—that we ought to proceed with this recommendation and go through the process of—here in this House—of passing it as quickly as possible in

order to allow it to occur during this particular enumeration period.

Mr. Goertzen: I thank the minister for that response.

It's further my understanding that the Chief Electoral Officer in her recommendation didn't specify a number that it should be reduced to, just simply that there should be a reduction. And so it seemed like a logical place to put the number in half, not to eliminate it entirely or make it much smaller as is the case in other jurisdictions, but to make it a half the amount and then to see if that met the needs of the—of Elections Manitoba and the Chief Electoral Officer.

Is that why this particular number was chosen?

Mr. Chomiak: I thank the member for that specific question.

Yes, the Chief Electoral Officer had canvassed other jurisdictions. And, if memory serves me correctly, we were the only jurisdiction to have that extensive number of names on the—required on the enumeration documents. And through discussions, there had been several discussions with respect to the number, and it was determined that a logical number would be 50 because it would still meet the principles of an individual requiring signatures within the jurisdiction with which they were going to run. But it wasn't so easy as to make it 'flivorous,' to make it allow for vexatious purposes. At the same time, it's a high enough standard so that someone who wants to be a legitimate candidate still had to go out and still had to obtain those number of signatures. Cutting it off at a minimum of 50 seemed to be reasonable—and I think it's still higher than the most jurisdictions require for enumeration and for electoral purposes.

Mr. Goertzen: It's also my understanding from the discussion with the Chief Electoral Officer that there are some jurisdictions that don't require signatures, but they require deposits for individuals to run. And it was my feeling, and I think that the feeling of the committee, generally, that that might not be the way to go, to have a monetary barrier to be met to run for election, but that having a standard of signatures would make more sense as opposed to putting a monetary figure which could be more of a bar for individuals, and that this would, in fact, still provide the assurance that there was a semblance of support for an individual, but also not put a difficult financial barrier to be met.

Is that what the minister feels as well?

Mr. Chomiak: In fact, that is an excellent point. And it fits in, Mr. Speaker, and I thank the member. He's too kind because I think all of us determined that that was the Manitoba way to do it, that it would be more important that you not be precluded from being a candidate because of your economic circumstances, or that it should be a barrier to your having the opportunity to take part in the electoral process.

But, at the same time, in a Manitoba fashion, you still had to go out and talk and meet with those people in your communities who would recommend, in the finest old Anglo-Saxon tradition of many, many centuries ago, that you were a person that's credible and ought to be a candidate in that community.

Mr. Goertzen: I thank the minister for that.

Is it also true that, generally, when people are getting signatures for nomination—candidates that, you know, typically exceed, significantly, the base amount required, because we want to ensure that individuals may not be in the address that they state at the time that the form is checked? So, typically, people will—would almost double the amount that they're required so, in fact, people will probably still be gathering 100 signatures just to ensure they meet the bar appropriately?

Mr. Chomiak: Again, a very excellent point.

There has been instances where candidates have, unfortunately—and this is a very—this goes to the very heart of the administrative change that's required. There have been candidates who've gone and gotten 100 signatures and, for one reason or the—another, a voter was outside of the jurisdiction and the date for nominations is closed, and that candidate has been unable to run before a—for an administrative reason, because either the person had the wrong address or couldn't be determined, precisely, where that—that voter was, in fact, in the constituency as recommended.

Further to that, Mr. Speaker, just to make the point, despite the modern use of electronic data, et cetera, it still requires the name to be written, and to be handwritten and printed. And, if one—I know you know how difficult it is sometimes when you're outside and you're obtaining signatures to even make it, sometimes, legible. And that is one of the difficulties that the returning officers have, is taking

the signature, matching it to an address, matching it to the voters list, matching it to the actual residents and, when you can't, it may be that that name gets excluded. So it is a very strong reminder to all candidates to ensure that they get more than—at former time 100, now 50, and—but it does indicate the fact that this is as much an administrative change as anything else.

Mr. Goertzen: Would the minister agree that it would be a good idea for the Chief Electoral Officer, following the election, when she does her summation of how the election operated through an annual report, or through the—reporting to the committee of this Assembly, to provide comment on how this change—if it is, in fact—passes in time for this election, how it functions in the election, to provide us feedback if it worked well so that we could reconsider it in the future?

Mr. Chomiak: That is an excellent suggestion because it would allow us the—would allow the Chief Electoral Officer to verify whether or not the intended change did meet the administrative purposes that you require. And it will also protect all of us in this Legislature should some—should there be some question as to whether not this is an ideal administrative change.

But, Mr. Speaker, I think that, coming from the Chief Electoral Officer and being—and the fact that all the members of the legislative committee concurred in this, and the fact that we've gotten leave to do this—to do to this process, suggests that we are trying to follow, as best we can, the advice of the chief electoral office, whose job is to make sure that the election's carried out in the most inclusive and the most democratic fashion possible.

* (10:20)

And, just to add, Mr. Speaker, I, myself, have gone to homes to get signatures where people have been only able to offer an x rather than the actual signature, and that's another point to suggest that not everyone ought to be excluded not to have an opportunity to participate in the process.

Mr. Speaker: Any further questions on this matter?

Seeing none, we'll move on to the debate, then. Is there any debate on this matter?

Hon. Jon Gerrard (River Heights): Yes, I just want to say a few words.

I support this initiative on the basis of the recommendations of the elections commissioner and the words of the—and the advice of the—our Chief Electoral Officer.

I personally have some reservations, because I think that going out and getting 100 signatures is not so onerous and it certainly represents a reflection of the number of people, significant number of people in the constituency who would support or approve that person being on the ballot.

Nevertheless, to make this unanimous, I'm certainly willing to go along and to support this change from—to reduce the number of signatures that are required. I think this is reasonable to use it in this election, but, certainly, I am of the mind, as has already been expressed, that, you know, this is something that can be reviewed on an ongoing basis to make sure that it's actually working well and it's achieving the purpose, and that as technology changes—and at some point we may be getting digital signatures online—whether these numbers are still the appropriate numbers and whether that may be something that will change again in the future.

So, thank you.

Mr. Goertzen: Just a few words, and I appreciated the answers from the minister in the question-and-answer period.

We certainly support recommendations that come forward from the elections officer and the elections commissioner. I think there's been a fairly good history in the Legislature of trying to ensure that those recommendations are passed on a non-partisan basis and in a non-partisan way.

Certainly, the Chief Electoral Officer has the confidence of this House, I believe, and it's been expressed in committee the confidence that the—that this House as a whole has in our current Chief Electoral Officer, and moving on a recommendation is an expression of that confidence. I don't think, in my discussion with members, that people had strong opinions about it one way or the other in terms of the change, but we do know that the recommendation was—came forward from Elections Manitoba and that they felt this would be a better process for elections, and we rely significantly on their advice.

I'd—I've never believed that the 100 signatures is a bar for candidates to exceed, nor do I think that 50 will be a bar, obviously. But I do think that we need to adhere to the spirit of supporting the recommendations that come from those who are in charge of running our elections.

And I look forward to seeing if this bill passes and if it comes into effect this election or the next election, the report back from the Chief Electoral Officer in terms of how it's operated and we can certainly review it again at that point.

Mr. Speaker: Is there any further debate on Bill 22?

An Honourable Member: Question.

Mr. Speaker: House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: Question before the House is bill—second reading of Bill 22, The Elections Amendment Act (Signatures Required for Nomination Document).

Is it the pleasure of the House to adopt the motion? *[Agreed]*

The House will now resolve into the Committee of the Whole to consider Bill 22.

Madam Deputy Speaker, will you please take the chair.

COMMITTEE OF THE WHOLE

Bill 22—The Elections Amendment Act (Signatures Required for Nomination Document)

Madam Chairperson (Jennifer Howard): Good morning. Will the Committee of the Whole House please come to order.

We will now consider Bill 22, The Elections Amendment Act (Signatures Required for Nomination Document).

Does the minister responsible for Bill 22 have an opening statement?

We thank the minister.

Does the critic from the Official Opposition have an opening statement?

We thank the member.

During the consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in their proper order. Also, if there is agreement from the committee the Chair will call clauses in blocks that conform to pages with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose. Is that agreed? *[Agreed]*

We will now proceed to clause-by-clause consideration of the bill.

Clauses 1 to 3—pass; enacting clause—pass; title—pass. Bill be reported.

That concludes the business before the committee.

Committee rise.

Call in the Speaker.

IN SESSION

Committee Report

Ms. Jennifer Howard (Chairperson): The Committee of the Whole House has considered Bill 22, The Elections Amendment Act (Signatures Required for Nomination Document), and reports the same without amendment.

I move, seconded by the honourable member for Minto, that the report of the committee be received.

Motion agreed to.

Mr. Speaker: Thank you to members of the House.

GOVERNMENT MOTION

Bill 300—The Mount Carmel Clinic Amendment Act

Mr. Speaker: Now as previously agreed, we will move to call Bill 300—or, pardon me, the minister then.

Mr. Andrew Swan (Minto): I move, seconded by the member for Tyndall Park (Mr. Marcelino), that the fees paid with respect to Bill 300, The Mount Carmel Clinic Amendment Act; Loi Modifiant la Loi sur la « Mount Carmel Clinic », be refunded less the cost of printing.

Motion presented.

Mr. Swan: Of course, Bill 300 has passed with the support of this Legislature and, at the committee hearing, I moved a motion that this Legislature be urged to refund the cost of filing for the Mount Carmel Clinic. I think we can all agree that their resources are best spent on serving the people in the community they're in.

* (10:30)

We had the chance to learn a lot about the Mount Carmel Clinic and great work they do, the wide range of services that they provide. Their motto, of course, is: we meet you where you're at, no

judgment. And refunding the fees I think will help them just a little bit more to do that great work.

Thank you.

Mr. Kelvin Goertzen (Steinbach): Yes, Mr. Speaker, we support the motion, as we did in committee, and my understanding in discussions of this is the fees are fairly nominal in terms of what's being refunded, but I mean it's important, obviously, to the organization, so I concur with the member for Minto (Mr. Swan). Perhaps at a future rules committee, this process could be referred, as it seems a little difficult sometimes for a fairly nominal amount of fees, and so it could be referenced for a future rules committee just to review this particular process.

Hon. Jon Gerrard (River Heights): Yes, I'm in support of this motion. Thank you.

Mr. Speaker: Any further debate on this matter?

Shall the motion pass? *[Agreed]*

PRIVATE MEMBERS' BUSINESS

RESOLUTIONS

Res. 6—Attempted Transgression for Tiger Dams Purchase

Mr. Speaker: Now, as previously agreed, we'll move on to call, under private members' business, the resolution entitled Attempted Transgression for Tiger Dams Purchase.

Mr. Reg Helwer (Brandon West): I move, seconded by the MLA for Morris,

WHEREAS the Ombudsman was told by civil servants that the Minister for Manitoba Infrastructure and Transportation, MIT, directed his own department to prepare a Treasury Board submission that recommended purchasing \$5 million of Tiger Dams for Interlake Reserves Tribal Council, IRTC, through an untendered contract; and

WHEREAS no compelling reason or justification was provided to explain why the department did not tender a sole-source, untendered contract, given that more than one supplier has been used in the past for this kind of equipment; and

WHEREAS the information provided by the department did not clarify that this equipment was the optimum solution for preventing further flooding, ensuring safety and providing support and training to the First Nations communities; and

WHEREAS according to the Ombudsman, the department did not conduct the required research and analysis because IRTC had already advised the department that it wanted a specific brand of water-filled barriers and because it was directed to prepare a submission accordingly; and

WHEREAS MIT staff did not—MIT staff not agreeing to waiving a competitive procurement process, the department was—sorry, I should read that again—

WHEREAS despite MIT staff not agreeing to waiving a competitive procurement process, the department was directed by the Minister of MIT to draft a submission that proposed and untendered contract for Tiger Dams; and

WHEREAS evidence gathered by the Ombudsman indicated that the political level of the provincial government not only set the policy direction in this case, but also initially directed the manner in which the procurement of flood-fighting equipment should occur; and

WHEREAS the media has reported that the Minister of MIT makes no apology for what he did, and similar editorials have deemed the minister to be unworthy of public trust, unworthy of office and concluded his integrity is beyond redemption.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to cease the provincial government's current practices of awarding unnecessary untendered contracts to the benefit of political friends and donors; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to stop overriding the civil service and heed its advice; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to end the provincial government's cycle of broken trust and broken government.

Mr. Speaker: It's been moved by the honourable member for Brandon West, seconded by the honourable member for Morris:

WHEREAS the Ombudsman was told by civil servants that the Minister for Manitoba—

Some Honourable Members: Dispense.

Mr. Speaker: Dispense? Dispense.

The resolution is in order.

And just as a reminder to honourable members that from the commencement of the consideration of this resolution, one hour will apply for the debate.

Mr. Helwer: Interesting that I think we had the need to bring this resolution forward. Obviously, we've had many questions, as has the public, as has the Auditor General, about 'untendered' contracts with this government, that it's been concluded or it's said that this is an epidemic, from the Auditor General, I believe, untendered contracts, that not only are untendered but are also undisclosed in the database, Mr. Speaker. We have attended—attempted to determine how the database will show those new untendered contracts, and while there is some challenges and changes being made by the Minister of Finance's (Mr. Dewar) department, it is a little bit—it is still difficult to determine untendered contracts, and we are finding more and more all the time, that have been undisclosed. And then, when we bring them up to the attention of the department, they go, oh, yes, oh, yes, well, we'll put those on there too, yes, yes, forgot about those ones. So, obviously, there's several lapses here from several ministers' departments.

And then we get into this whole Ombudsman's report on the Tiger Dam purchase, or the attempted Tiger Dam purchase. We're told that the minister directed MIT to prepare a Treasury Board submission and recommended purchasing \$5 million for IRTC through an untendered contract, and then the justification for a sole source really wasn't there. There was no flood at the time; that's the excuse that the minister often uses; but there—and there is more than one supplier available for this type of product.

So the department, of course, working, trying to figure out how to make this work, we found that there were letters going back and forth from both the minister of MIT and the Deputy Premier to the IRTC, Mr. Speaker, committing to the purchase of these \$5 million in Tiger Dams without tender and directing the departments to make that happen.

Of course, we—further on we also see that the minister attempted to go to Treasury Board to receive acceptance of this untendered contract. And apparently that was turned down. And then the Premier (Mr. Selinger) had to step in and determine that it should be tendered. But, again, the minister tried to go to other sources, to the Building Canada Fund, to see if he could extract some funds from that

for this, and that's not the intent of the Building Canada Fund.

So it seemed that there were some rookie ministers out there in the Department of Finance and municipal affairs. And the minister of MIT may have tried to take advantage of that type of an environment. But what we have here is, time after time, the minister undermining the process of properly tendered contracts, especially for contracts of this size.

Now, I understand, in departments, that they create a plan or they create a relationship with a provider of goods. And often that's how business works, Mr. Speaker. You want to maintain that relationship. But with government money, it's a different thing. You have to make sure that you follow the tendering process and make sure that the public money is open and available in how it's spent and the public is aware of how its money is expended so that there is nothing to hide.

But, in this case, obviously, there was attempt to go around the system, there was attempt to hide the information. And when we disclosed this information, it was, you know, the Auditor General obviously had problems with the whole process. But we hear time and again from this government, well, you know, it's just an excuse, it's just an excuse. And then I'm sure the minister will talk about the Ombudsman, who really had no—has no tools to really inquire into this whole process, but that's where this went.

And then we see, you know, further types of indications of tenders that are written for particular providers of services. I notice that there is a tender or RFP out there that was—that it closed Tuesday, I believe, for bladder-type, water-filled flood barriers. So this is to replace Tiger Dams that were damaged or destroyed or perhaps even damaged by poor storage. And now the tender says that it specifies on the size and it specifies that, of course, these particular flood-filled barriers, they have to be placed into the storage trailers that were provided and constructed for the Tiger Dam process, the Tiger Dam barriers. So not all flood-filled barriers are the same, Mr. Speaker.

* (10:40)

And so, when I look at this particular tender, really, it's when—if I were responding to this tender as a provider of flood barriers, I would look at this and say, well, really they're retendering for Tiger

Dams, but they're not saying it, because they have to fit into those particular trailers.

And there are other types of flood barriers that are available. In fact, there are some that are made in Manitoba here that have been used in the past by this government, but they're—they can't respond to this tender, because they are only water filled. The other barriers were used successfully in the 2011 flood by the minister's department along 18th Street in Brandon and 1st Street in Brandon and other areas of the province. You know, super sandbags that were stacked several tiers high obviously held back the flood and protected those areas, although it was, you know, a lot of trepidation that they were used, and when driving by them every day with that big lake behind them, not everybody wanted to go by them, Mr. Speaker.

But that type of a flood barrier worked as well, but, in this regard, it's a made-in-Manitoba solution, can't respond to this tender, so they're excluded from that. So, you know, we see the continuation of the government's abuse, this particular department's abuse, of untendered contracts, and you know, I just—I don't know, Mr. Speaker. There's a process in place, and the question is why you don't follow the process. There was no flood. There was no threat. But time and again, the minister tried to force this particular contract through without tender and again without disclosing it. And it seems to have caused some problems within—in the government. There is some dispute, I believe, amongst other MLAs from the government's side that, you know, seem to feel that this was a bit of a problem that some ministers were being favoured above others and it just didn't seem to work on how people were going to move through this process.

So we note, Mr. Speaker, that the government has a poor record on tendering contracts. The Auditor General has reviewed it several times, come up with recommendations. The government says, we'll follow these recommendations, and then time and again we find examples of—more examples of untendered and undisclosed contracts. So, obviously, the government is not following the AG's recommendations. They are proceeding ahead, rewarding—awarding contracts to individuals without tender and without disclosing them to the public, and the public good is at risk.

You know, this government collects a huge amount of tax dollars. They've raised taxes to an unbelievable level, and then when we look at the

so-called Economic and Fiscal Outlook on how they propose to spend those taxes, obviously, they don't think they have enough money yet, Mr. Speaker. But that's one of the problems with untendered contracts is we don't know that we are getting the best price, the best value for Manitobans' tax dollars. So, while the government goes out there and awards these contracts, we have no comparison. It was done in a fashion that the public didn't see. It was done without competition, and so then we see that—sometimes we see the government buying untendered products at a higher value than was—the last tender was or a previous tender, and it's just not good common sense.

So I'm sure, Mr. Speaker, that we'll hear all kinds of excuses from the government today, but the basic question is: Why didn't you follow government process and tender these contracts, properly disclose them and what—really, what is the difficulty there? It's a simple process. The government uses this time and time again, and yet we see them abusing it time and time again. Open tender, making sure that Manitobans' money is disclosed on how it's used and making sure Manitobans are aware of how their tax dollars are spent.

Thank you, Mr. Speaker.

Mr. Dave Gaudreau (St. Norbert): Now to put some actual real information on the record.

The member for Brandon West (Mr. Helwer) seems to feel that he's an expert on flood protection and sandbags, even though he voted against every single flood protection that we tried to put in place for Brandon. He hasn't stood up for the people in Brandon West once, Mr. Speaker. Every time we try to put some flood protection in place, he's voted against that money to be spent. He's the guy saying that, you know what, we don't need to do it.

He wants to talk about best value. Is that the value of having two sets of books, like the last time they were in government? You know, the ones that were kept under the table and then the other ones? How about the value of the biggest tender Manitobans never saw, which was selling off MTS? That happened underneath their government, not ours.

So for the member opposite to speak about this stuff is completely false. He also put false information on the record about—saying that we have to widen every roadway to give cyclists room on the road. Because, you know, I'm sure all those 26 states

in all of Europe widened the roadways so that way cyclists had some safe space on the road. But it just shows his complete lack of understanding for anything to do with Manitobans. They don't build anything, so they don't understand how it all works.

You know, I want to thank the Ombudsman for their—ombudsperson for their work on the file. We've expect—accepted all the recommendations and the work has either begun or it's completed on all of them. And we have the most transparent contract reporting system in—out of any province in Canada.

So the member for Brandon West (Mr. Helwer) has completely put in false information on the record and, in fact, no tender—or no contract was awarded. The tender was put out. No purchase was made by the Province. He might want to, you know, pick up the bat line to his former leader that was in the—Ottawa at the time, and call Mr. Harper and ask him why he spent \$5 million on the dams because it was, in fact, the federal government that bought them at the time. Our contract—we didn't do one. There was a tender, it went out to tender. No purchase was made by the Province.

So for the member from Brandon West to talk about anything to do with flood protection—every time he votes against it. If it was under—if it was still their government, Brandon would have been under water because our flood protection strategy works. In the last flood, Brandon was saved by flood protection put in place by this government. Our plan for historic flood protection by 2020 will see \$10 billion worth of infrastructure put in place for flood protection. Over 60,000 people will be working in Manitoba to do these flood protections, big and small. You look at what the members opposite plan is? Well, they would just let the people suffer. They would let communities go under water.

What happened in 1997? When the Leader of the Opposition was the EMO minister, and the flood was coming down—Grand Forks was on fire because of the flood—and what did he do? Packed up his bags, quit as the minister, quit as an MLA and ran away. Probably went off to Costa Rica where he spends most of his time now.

Mr. Speaker, what happened to their flood protection? Why didn't—after 1997, they were still in government—why didn't they put in place any extra flood protection? It was our government that came in in '99 and flood protected all the communities south of Winnipeg and did extra flood protection in

Winnipeg. We're the government who's doubled the floodway.

So they have no idea what flood protection is about. In fact, I didn't see any of the members there. I know that they're trying to win my area. They're out there knocking doors, because I see them when I'm knocking on all the doors I knock on. But you know who was out in St. Norbert helping me sandbag a house on Turnbull Drive two years ago in a flood? The member for Tyndall Park (Mr. Marcelino). People on our side of the House work for the people and put sandbags down. We helped save a house. Where were they, Mr. Speaker? Nowhere to be seen.

Now, of course, it's election year and they figure it's their God-given right to own St. Norbert, and they come into the area knocking on doors saying what they're going to do for them. Nobody from their side of the House was in my area helping those house—helping those people sandbag their homes.

I know where I was in 1997: sandbagging homes along Turnbull Drive. That's where I was, where were they? They weren't anywhere to be seen. We were sandbagging homes on Turnbull Drive. The member for Tyndall Park helped me sandbag a home on Cloutier Drive during the flood two years ago.

And where were—where was the Opposition, then? You know, they would have come around and knock on doors and say how great they are. They didn't stand up for St. Norbert. They didn't help anybody in St. Norbert. They certainly didn't support doubling the floodway. In fact, the Leader of the Opposition tried to put a halt to the floodway altogether when he was in Ottawa.

So their plan would see all the communities south of Winnipeg under water at least a couple times now since we've been elected, which didn't happen because we flood protected them. Their plan would have seen people, just like in 1997, cutting out the furnaces and hot water tanks from their basement, moving them upstairs and evacuating St. Norbert.

The members opposite have no business talking about what goes on in floods, Mr. Speaker, because they, really, have no clue. I mean, what do they do during a flood? He just ran away. He quit and took off and left the province. Where were they? Where were the members opposite during that flood? Were they sandbagging in St. Norbert? Nope, they weren't. I was sandbagging in St. Norbert saving peoples' homes in my community in 1997. And, two years

ago when we had a flood I was sandbagging in St. Norbert with the member for Tyndall Park (Mr. Marcelino).

* (10:50)

We work for the community. We work to save these people. The other side of the House just complains about it. And, like I said, you might want to phone his former leader, Mr. Harper, and ask him why did he buy those Tiger Dams, because they're the ones who ended up spending the money. No contract was awarded on our side. You know, we're working with all governments to make sure that there's flood protection.

The Liberal Party plan is no better. They're saying they wouldn't put a stitch of flood protection in place until sometime in the future, down the road, when they balance the budget, after they sell off the—you know, the MLC and lose \$282 million a year in revenue, cut off \$471 million in revenue in corporate taxes that go towards education and health. So, in other words, they'll never put in a stitch of flood protection because there's no way with \$800 million worth of cuts, the Liberals have a plan to come to balance at any point, Mr. Speaker.

When it comes to flood protection, we're the ones who build it. We've doubled the floodway. We shored up the gates. Last year I went for the cutting of the ribbon and it actually came in under budget. The whole floodway project came in under budget. We worked in partnership with the federal government and we made sure that that project was built, and it was built fast and it was under budget, actually under time when it was supposed to be, Mr. Speaker.

The other side of the House—nowhere to be seen on that. You know who was sandbagging in my community? The BHF—Behavioural Health Foundation, which they will cut, Mr. Speaker. Members opposite, with their \$1.5 million a day in cuts, will have to cut something. They want to run around this province saying that they're going be—oh, we're going balance—we're going to balance—but they don't want to tell us their plan. I want to hear it. Are you going to cut the BHF workers? Are you going to cut all those social workers who do the programming there? Are you going to cut that fantastic program that helped sandbag St. Norbert? You certainly weren't there for St. Norbert. None of the members opposite were in St. Norbert helping out. The BHF was in St. Norbert helping sandbag homes with me and the member for Tyndall Park.

So I take great offence that they come into the area and say that they're going to be better for the area. They fly in a candidate who doesn't even live in the area—never spent a day in this area. He said one day he was fishing, when he was kid, in my area. That's his connection to the area. I've lived 30 years in my riding, Mr. Speaker, and I take great pride that I was there for those people in 1997; I was there for those people in 2011; I was there for those people in 2013 when we had to sandbag homes on Cloutier Drive.

And where were the members opposite—Costa Rica, visiting the Leader of the Opposition, Mr. Speaker? It's absolutely ridiculous that they want to talk about their plan, is cutting \$2 billion worth of flood protection.

So they're going to cut out \$2 billion worth of flood protection by '21-22, and that would mean cutting good jobs; that would mean putting communities at risk. I'm sure that they'll be out there saying oh, we're the best. But as soon as those communities need to be sandbagged or need any help, where would they go? Where would they be? Would they actually be sandbagging? I'd like to see those members come out and work on the sandbag line, because you know what? Other than a photo op—a photo op and knocking on doors saying that they're better for the community, the members opposite are nowhere to be seen—nowhere to be seen during a flood. They all run off, going to their vacation homes in Costa Rica, and they're nowhere to be seen, Mr. Speaker.

You know, they want to put in cuts. That's all they talk about. Well, I want to see the plans. Are they going to cut the floodway expansion that we did? Is that what they want to do? They want to close the floodway down? Because, you know what? Those people who operate the floodway bridge are people who are in the civil service. Well, their \$1.5 million a day—are those the people they're going to cut so nobody can operate the bridge? How about keeping the bridge in repair? Are they going to cut those people, Mr. Speaker? Where are the cuts going to come?

Over and over, time and again, they call for cuts and they haven't laid out their plan. Manitobans deserve to know what their plan is. St. Norbert residents deserve to know where they're going to cut. Is it flood protection? Is it the amphibexes? Is that what they're going to cut when they break up the ice

on the river and help mitigate flood protection? We've invested in those; they would cut them.

What about the people who operate those Amphibexes, Mr. Speaker? Would they cut them? We know that their side of the House is nothing but cuts and layoffs, which put front-line services at risk, and I want them to put it on the record where they're going to cut.

Thank you.

Mr. Shannon Martin (Morris): Mr. Speaker, the fury of the desperate, and it's always interesting to listen to that.

So I appreciate those comments and I appreciate the comment by the member for Brandon East (Mr. Caldwell) and his—who's always there about his big tent and working together. But it is nice to know.

The Premier (Mr. Selinger) has been on the public record as saying that he believes the member for Thompson (Mr. Ashton), Mr. Speaker—that the member for Thompson has learned his lesson from the Tiger Dam affair. But it's always interesting when you look at the reality and where this debate and this motion comes from and the history of this motion.

So we go back to, Mr. Speaker—when we look at—back at the beginnings of about a year ago or a year and a half ago, when members opposite—and led by five Cabinet ministers—decided to resign. And, at the time, it just because they said: That, increasingly, in the last few months, this has not been the case, that—the case being—heard their voices—their voices being heard.

Our decision to resign is not because of any single issue or single decision; it is because we can no longer work with a Premier who refuses to hear us. He refuses to hear us on the leadership issue, but a wide range of issues in our portfolios. There are many important issues and much work to do, but we cannot work together on the priorities of Manitobans if we can't be honest with the Premier. Many of us—achievements are owed to the Premier and it is extremely difficult for us to leave other work unfinished. However, remaining in Cabinet with integrity is no longer an option.

And I think that last comment by the minister—or, the former—the member for Fort Rouge (Ms. Howard) bears repeating, Mr. Speaker: Remaining in Cabinet with integrity is no longer an option.

So, we know now, Mr. Speaker, that the Tiger Dam and the stench of the Tiger Dam dealings was actually part of the driver for their rebellion. Their effort to save, I believe, the phrase from the Minister of Conservation was: to save their government from electoral annihilation. I know, recently, the member for Dauphin (Mr. Struthers), the NDP member for Dauphin talked about that they tried to let people know and let people within their party know about the shady dealings going on within their party, within their Cabinet, within their Treasury Board and within the Premier's office.

So, Mr. Speaker, unfortunately all of that, all those efforts by members by the fab five, unfortunately, they failed and they came up short by 33 votes in their attempt to get to depose this Premier. And so, now, we're left today finding out why and discussing one of the reasons why.

And so, Mr. Speaker, I think, really, the editorial board at the Winnipeg Free Press sums it up quite nicely when it notes that it is a dangerous and slippery for Manitobans to excuse the Premier's own conduct out of misplaced sympathy for a man who has so little bench strength to pull from to fill out a workable Cabinet. It also goes on; the editorial board of the Winnipeg Free Press note that the MLA for Thompson's integrity is beyond redemption; however, these are the events in government that test a leader's judgment. The Premier has shown he will put faith in a minister who sees no wrong in abusing taxpayer funds. That should concern Manitobans most and it should weigh on their minds when they go to the polls in April.

And I can tell you, Mr. Speaker, knocking on doors in the Morris riding—and in a number of other ridings—that is weighing on the minds of a lot of Manitobans. And I have to say, in one instance I will agree with the current MLA for St. Norbert when he said that—when he told the Premier that everyone hates him. Clearly, in the times that I've talked with his replacement, Mr. Reyes, and been out door knocking with Mr. Reyes, that message is coming through loud and clear from the people of St. Norbert. They are quite looking forward to April 19th and the opportunity to sweep the stench of this government from this Legislature.

Mr. Speaker, the Ombudsman and I had an opportunity to look into the purchase, the \$5 million—the purchase—the attempted \$5-million purchase of Tiger Dams. And I note on page 15—and something that the members opposite have failed to quote in any

of their more outlandish statements—that the justification for proposing a sole-source untendered contract, given that there was more than one supplier department has used in the past for this kind of equipment: no compelling reason to not tender.

* (11:00)

And so, Mr. Speaker, the issue really here is you have a government that is epidemic issue when it comes to the sole-sourced contract. The MLA for St. Boniface, under his tenure as Premier (Mr. Selinger), and obviously his MLAs around him, have issued more than 1,205 sole-sourced contracts.

These are contracts that were untendered, these are contracts that had no opportunity to say to companies in Manitoba and throughout that we would want you to present your best deal. And instead it is a government that feels that they know how to do—how to spend taxpayers' money best. And it's clear, once again, that they simply don't know how.

Mr. Speaker, we're well aware that there's systemic problems when it comes to untendered contracts. In 2014, the Auditor General—and the Auditor General, I would argue, is an honourable individual, it's an honourable office that I think when the Auditor General makes a recommendation, makes reports, that we, as all legislatures, should pay attention to those comments because they are reflective of all of us as MLAs and in particular, for those of us who are in government. And the auditor emphasized in its report, that quote, governments must ensure that citizens receive good value for their tax dollars when it acquires goods and services; a competitive procurement process helps achieve that and also ensures vendors get fair access to government business.

So really, Mr. Speaker, I mean, you know, the Auditor General, what he's telling us isn't—shouldn't be new, and shouldn't be ground-breaking logic. On the one hand, you have the opportunity of a competitive process and as well as fair access. I mean two words, competitive and fair, that seem to be the antithesis of what we're seeing from the NDP from across the way.

During an 18-month-long audit conducted by the AG's office, Mr. Speaker, from April 1st, 2011, to September 30th, 2012, the value of awarded, untendered contracts was \$274 million. And that the sample of the untendered contracts showed that

50 per cent were not supported by an acceptable circumstance needed to justify waiving competitive bids.

I mean, it is this kind of information that, when you share it with Manitobans, when you're out there engaging with Manitobans, whether it's in St. Norbert or Ste. Agathe, Mr. Speaker, it's—they—when you share this information, they're quite shocked that this NDP government is doing and making purchases that—without any guidelines, without any rules, just simply because they can. They're quite shocked when the editorial board of the Winnipeg Free Press refers to the member for Thompson as integrity beyond redemption.

And so the Tiger Dam issue, Mr. Speaker, is, like I said, it's but what a simple, small example of a much, much larger epidemic issue going on across the way.

And so, Mr. Speaker, it's my hope that when this—when debate concludes on this, that all members across the way will stand with us and urge their government to cease their provincial—their current practice of awarding unnecessary, untendered contracts to benefit their political friends and donors and that they will stop overriding the advice of civil servants and heed their advice.

And I've heard a great deal from civil servants who were quite anxious to have a conversation post-election. These are professional civil servants who are absolutely ashamed as what's gone on under the NDP, who are ashamed at the more—or the lack of integrity by members opposite, and who have seen their own profession tarnished, their own integrities reflected poorly upon, again, by actions of their—of socialist overlords, Mr. Speaker.

So what we're looking to do, Mr. Speaker, with this resolution is to break that cycle of broken trust and broken government. I urge the members opposite to stand and rise; put their support for this resolution on the table and vote in support—

Mr. Speaker: Order, please. The honourable member's time has in this matter has elapsed.

Hon. Steve Ashton (Minister of Infrastructure and Transportation): Mr. Speaker, I appreciate the opportunity to speak on this resolution, and I want to begin by saying I'm very proud of the work that we have done, not just as a government, as a province, in terms of fighting three major floods over the last six, seven years; 2009, 2011, 2014.

And I've always believed that when you're fighting floods you have to make decisions and you have to be held accountable for those decisions. And I welcome the opportunity to actually put some facts on the record about this particular resolution because, quite frankly, rarely in my time in this Legislature I have—have I seen so much attention on an issue, and yet so little attention paid on the actual response to issues raised by members of the opposition.

I want to point out that we've had three reports from two independent officers of the Legislature. And I want to run through some of the arguments that members opposite made and what the facts have shown to be the case.

They've argued, Mr. Speaker, they've taken a direct run at Tiger Dams themselves, and I'm assuming, perhaps, were flood tubes more generally. I point out they're relatively new in terms of use in this province. We first used them in demonstration in 2005, but whether it was 2009 or 2010, going into the floods of 2011 and 2014, you don't have to take my word, you can take the word of the municipalities. And I point to the member for St. Paul (Mr. Schuler) who will recall when West St. Paul, East St. Paul, when St. Andrews were being hard hit, when St. Clements hard hit by flooding, and they used Tiger Dams and they worked. I, in fact, remember the member opposite commending the work that was done in terms of providing that kind of equipment for the municipalities—2010 I actually met with Minister Vic Toews who talked about the success of a flood. So it was particularly the tiger tubes, and we didn't just take for granted the engineering side. We actually did a study and we've provided that publically in 2011. KGS did the study that show that they work. So they do work.

Let's deal with the argument as well at times that I've seen that somehow they're not needed. I'd point out, Mr. Speaker, perhaps we don't need flood tubes in the Red River Valley where we have flood mitigation to one-in-100-year flooding thanks to the community and individual dike program we put in place. We perhaps don't need them in the city of Winnipeg in most areas where we're protected by the floodway. But in 2009 alone there were several hundred homes in Peguis that were negatively impacted.

I want to deal with some of the issues they've raised about the purchase of—or, actually, the

\$5-million funding, Mr. Speaker, of flood tubes going back to 2014. They said there was a conflict of interest. The member from Morden-Winkler even asked if I had talked to the commissioner. I did. I point to the Free Press on September 26, the headline says it all: No conflict with donations, Ashton minister gets independent opinion.

I want to talk about some of the other suggestions that were made in terms of—suggestions there were improper promises. I'll read from the Ombudsman, quote: We found that the overall process of seeking Treasury Board approval was undertaken. Our RFP was eventually issued. Quote: If evidence demonstrated MIT was always intending to seek Treasury Board approval for the funding, no evidence that the department attempted to circumvent the process.

And then, Mr. Speaker, evidence we were—show the department viewed an invoice. They raised this as a request for specific equipment, not an invoice or request for payment. They also, in the Ombudsman's report, after access to thousands of documents, interviews with—numerous people said evidence reviewed confirms that regardless of funding source, the equipment to be purchased would be chosen from a competitive tendering process.

Now, Mr. Speaker, I want to go a little bit further, because I want to point out that members opposite when they raised issues about the \$5-million commitment, then also questioned other purchases of flood equipment going back to 2009. And I'd like to put on the record that, absolutely, in floods there were numerous occasions where we bought equipment that did not go through a tendering process. It takes at least 45 days to do a tendering process, and I can tell you when you're fighting a flood you don't have that option.

And I know in particular that they raised concern about a flood contract to purchase Tiger Dams that was made in 2010. Now, I want to point out that this was going into a flood. Mr. Speaker, we did not have the opportunity to go to tender. But what we did do is we went and did a request for quotes. And I want to put this on the record because this shows the degree to which members opposite have never wanted the facts as to what actually happened.

* (11:10)

So what did we do? We approached four known suppliers, three responded. The Tiger Dam company, which is IFC, quoted a price of \$2.3 million,

immediate delivery. Another supplier quoted a similar figure. Their delivery time frame would have taken three months, Mr. Speaker, to provide it. Now the—I think the real one that members opposite may want to hear is that the—there was a third supplier that came in with a quote of \$5.5 million. And I can tell you what the department said, this was their analysis: delivery timeline from award is 20 tubes per week. It would take 75 weeks to provide flood tubes that would've cost double what we got them from the Tiger Dam company. That was in 2010. Yes, it was an untendered contract, but we went to an RFQ.

So, Mr. Speaker, I want to say that we did deal in good faith with the First Nations. I want to point out, for example, why we did make the commitment to the emergency operations centre, why, in fact, the federal government has done that because, in 2014, we were faced with a very significant challenge: the blockade in July; two issues were raised by the protesters: fisheries—we took it seriously; we solved the issues—and the need for more flood mitigation. Let's understand, we're building permanent flood mitigation in those communities, but in the interim they are vulnerable. And, in the community of Peguis, the First Nation community of Peguis, they are vulnerable in any circumstance because there's still been no major commitment by the federal government to mitigation on reserve. So that is why we dealt with them in good faith.

And, Mr. Speaker, I have said that absolutely there are areas that we are, you know, can do better. And I've said that even in terms of my own involvement. In fact, I, again, point to the article with the Free Press where I indicated, in terms of some of the issues to do with optics. And I want to read what I said then because I think it's very applicable now. There's a legitimate criticism in terms of the optics. I was—I'm quite prepared to be held accountable through the Ombudsman, through the Legislature, and through the people of Manitoba. And I want to put this on the record, because members opposite clipped, you know, the quote about no apologies. I want them to know what I make no apology for and what members of this government make no apology for. Quote: What I won't apologize for, and one I don't think we as a government should apologize, is really trying to forge a relationship with First Nations.

Well, Mr. Speaker, I want to put on the record that a lot of this, I think, is reflective of the Leader of the Opposition's approach to politics. And I've

addressed some of the issues, but I think what is beyond the pale, something I have never seen in my time in this Legislature, is the degree to which the Leader of the Opposition will stoop as low as he had, will do almost anything to try to get a headline. He manufactured, fabricated, a story suggesting there was a police investigation. It turned out he phoned the police. There was no police investigation. But I know—he's gone beyond that, now. He's actually come out and said there's a worse situation than in Tiger Dam. He made accusations in the media about security contracts which, actually, were made by the municipalities.

Now, I wonder if it's got anything to do with the fact that the—one of the people that was involved with this at the time is now running for the Tories in the Interlake. But, you know, he said this was worse. But what the attack was, it actually wasn't on the provincial government—we don't determine who does that—it was on a 30-plus-year civil servant, Mr. Speaker. I note that he said this was this big scandal; he hasn't asked a single question in the Legislature since he made that accusation.

So, accountability, absolutely, Mr. Speaker. I and this government will be held accountable for anything and everything we do. And I just would point out that what we have here, I went to the Conflict of Interest Commissioner. No conflict, the main accusation that was initially made. The Ombudsman dealt with this twice, and, in their report, what they said is the first complaint from the whistleblowers, they had dealt with that. They had dealt with it. They note, in their report, the unprecedented fact that we, our Premier (Mr. Selinger) and myself, asked for it, three reports from two independent officers, a contract that went to tender and hasn't even been awarded.

So I say, Mr. Speaker, I make no apologies for being there for First Nations and we will, as a government, be there for First Nations when it comes to floods and flood mitigation in the future.

Mr. Speaker: Order, please. The honourable minister's time on this matter has elapsed.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to speak to this resolution and put a word—a few words on the record with regard to tendering versus non-tendered contracts.

Regardless of the specific circumstances with regards to Tiger Dams and there being, certainly, in Tiger Dam contracts—and they are being debated—

there is clearly, from the auditor's perspective, too many contracts which are being awarded single source without proper tendering. And we've seen this with major contracts like the STARS helicopter and like the privatization of the Property Registry.

Contracts are arrangements which have very long-term implications in terms of the operation not only of health care, but of government and government-related services. Property Registry, of course, now being run by a private sector organization after being privatized by the NDP government.

There are many other instances which the Auditor General has talked about, and I want, rather than to talk about individual instances, to talk about why it is so important that contracts are properly tendered. The goal in tendering is to have the best product or service at the lowest cost. It is also, Mr. Speaker, an opportunity, when you tender a process, a service, a product, to have the opportunity for people to put forward new or novel approaches to solving the problems in new ways, and—so that the opportunity for creative solutions when the contract is tendered, so that that's possible, is there.

And we should encourage Manitoba businesses, Manitoba organizations, to come forward and provide creative solutions. And, certainly, I know of instances where there are organizations and individuals and businesses within Manitoba who have had creative solutions but which were not even possible to put forward because of the sole-source nature of the approach that the NDP took and the lack of their approach to tendering.

But, Mr. Speaker, one of the most important reasons for having a proper tendering—fair tendering process, which looks at costs but also looks at quality of the product and services and ensures that this is done in a very fair way, is to avoid inside influence and corruption and to avoid the appearance of inside influence and corruption.

You know, this is absolutely essential and a fundamental aspect of a democratic province, of a democratic country. We are all too aware that failed states are often those states where there is substantive insider influence and corruption rather than a fair process being followed. And these states fail because of these problems. And it behooves us, Mr. Speaker, to pay careful attention and to make sure, in Manitoba, that we are always following a due-diligence process, especially, of course, for larger contracts.

There's reasonable, sometimes with smaller concepts, to have exceptions, as we've already have done and noted, but, certainly, before the major contracts that we're talking about and certainly to the extent that it's possible for all contracts, that there should be proper and appropriate tendering—fair tendering, fair process—where Manitoba companies are given a fair chance. We want to encourage fairness in Manitoba. We want to encourage Manitoba companies to participate, to bring in new ideas and new options because that is how we will move forward.

* (11:20)

So, Mr. Speaker, my remarks focus on the need for proper and fair tendering processes. I think this is a fundamental aspect of how our government and our province should be operating, and I have been quite concerned over how things have happened from time to time over the last few years. And, clearly, this is something which needs to be addressed and corrected and—if we are going to continue to have the type of province here in Manitoba that I think we want to have.

Hon. Thomas Nevakshonoff (Minister of Conservation and Water Stewardship): It's my pleasure to rise to put a few of my thoughts on the record in regard to this resolution.

And, first of all, I have to say that, frankly, I'm appalled at members opposite, that they would choose to politicize something as serious as addressing flooding in our province. And I'm the MLA for the Interlake. We have been virtually at ground zero when it comes to flooding. I have nine First Nation communities in my constituency, and every one of them is impacted by flooding, quite often on a chronic basis, quite often on a—on almost an annual basis if you look to communities like Peguis and Fisher River. And it's incumbent upon all of us here in the Legislature to put politics aside and do what we can for these people who are bearing the brunt of these natural disasters.

And for members opposite to make political hay out of something like this, try and stir up scandal, and—well, if it comes to scandals, we could certainly look to their behaviour in times past. And I think their leader just yesterday said that past behaviour is a good indicator of future behaviour. Well, you don't have to look that far back in Manitoba history to 1995, the greatest political scandal in Manitoba history, the vote-rigging scandal. Despicable behaviour is the only real way to describe it.

And, lo and behold, followed up in 1999, when I first ran, again, in the Interlake. The Interlake seems to be ground zero for them when it comes to scandal mongering and practising all forms of malfeasance—but for me, personally, to have experienced a smear campaign orchestrated by the Conservative Party—and that was proven in a court of law when their caucus chief of staff was convicted of defamation of a candidate and obstruction of justice, no less. So the—this is not speculation, this is not mere finger pointing. This was proven in a court of law.

So, you know, once again, they haven't learned their lesson. They continue to go down the lowest path available. If there was a wagon rut cut in the lowest land, you would see them slithering along the bottom of that route because—well, I'm going to try and restrain myself and speak a little more parliamentary. Forgive me, Mr. Speaker, because I still feel very passionately about being the victim back in 1999, and I can see that they're still practising the same thing here.

So, you know, it—and the minister who spoke before me made reference; not only are they attacking us, but they're attacking civil servants. The regional flood co-ordinator in the Interlake—her name is Shelley Napier, I'll put it on the record—was a classic example of a hard-working civil servant. Nobody worked harder during this flood than she did, or people like her. They worked seven days a week.

And this was not a river flood like we quite often have, such as we did in 1997, this was a lake flood that lasted almost two years, Mr. Speaker. So for them to cast aspersions on honourable people like that—again, appalling is the only word that comes to mind.

And I want to pay tribute to the Minister of Infrastructure for the hard work that he's done in regard to fighting floods, and our Premier (Mr. Selinger) as well. In the flood of 2011, these men worked tirelessly and they stepped up. Even when the federal government left us twisting in the wind, it was standard disaster financial assistance only, we went above and beyond the call of duty in putting provincial-only funded programs on the table, unlike the federal government that left us with just DFA and left us footing the bill for the \$100-million investment in the emergency outlet. To this day, we have not seen a dime in this regard, Mr. Speaker, and this was a classic act that fit the criteria of disaster financial assistance to a T.

So that was the Harper approach to flooding and, of course, you know the immortal words of Gerry Ritz, let's not forget that. When we talked about multi-year flooding, the impact on the ranching community in particular, what did the federal Conservative minister of Agriculture tell our ranchers? That they had—they wanted to be compensated twice for the same flood. Talk about a profound lack of understanding or inattentiveness toward this major disaster, to say something like that to people who had suffered so much and were continuing to suffer. That was the Conservative approach.

Let's continue on the Conservative approach to flooding. Let's look to the very Leader of the Opposition, who was the minister responsible for emergency measures in 1997, abandoned ship, fled the province no less, out of pure ambition, decided he wanted to be a Member of Parliament instead. The flood of 1997, which we all knew was coming—there was no doubt in anybody's mind that it was coming because floods—we can predict floods. They knew it was coming but the Leader of the Opposition was going. The flood was coming and he was going, going off to Ottawa to be a Member of Parliament, wanted to be the Prime Minister and all that. And now he's back, now he wants to be the premier and so on and so forth. But when it comes to dealing with disasters in this province, Mr. Speaker, when it comes to standing up, he's already proven his total lack of commitment.

And let's take it a little further. Now they're talking, oh, well, if we were the government, we would build that, would start construction tomorrow, meaning that all consultation with First Nations, all environmental impacts wouldn't matter to him, that he would just proceed. Well, his respect for First Nations people is—we're aware of that, clearly aware of that. When the Premier stood in this House and made his apology speech for the '60's scoop, did the Leader of the Opposition get up and follow suit? No, he didn't. He sat there in his seat, Mr. Speaker; he got the member for Portage la Prairie (Mr. Wishart) to speak for his party instead and the chiefs that were up in the speaker's gallery stood and removed their headdresses, recognizing the lack of respect by the member opposite.

So, you know, if you want to talk about politicization—I've just mentioned the member for Portage La Prairie—for him to go into the Portage Diversion when the flood was manifesting, when the ice floes were coming down the river, this was the

most reckless act that I've ever seen in my life, and he should know better because he is a wise man. I have respect for him but to jeopardize the people of Manitoba like that, with those ice floes coming down. If they had impacted that infrastructure, you know what ice can do. Blow those things out or get east of the city and into the perched river and blow those dikes out. The damage could've been in the billions of dollars. There could've been loss of life, Mr. Speaker, so that was awful behaviour, I'm sure, totally endorsed by their leader as well.

And I also want to talk about the Liberal platform as well. We're going into an election in the next couple of days and our government has committed to the infrastructure works. This process is well under way, consultation, environmental approvals and so forth. We're committed to this path. What does the Liberal Party have to say about it, Mr. Speaker? What's their platform? Their platform is to suspend flood mitigation works indefinitely, I'm assuming. You know, they're going to wait until their budget is balanced. I guess once the global economic downturn is over, then Rana Bokhari and the Liberals might pick up the challenge of flood mitigation but, you know, only after the budget balances. And when you look at what she's going to

do, cut almost half a billion dollars out of the budget, the payroll tax, they'll never balance, quite frankly.

* (11:30)

But, thankfully, for the people of Manitoba they'll never form the government here either. So we won't have to worry about that.

This government has been there for flood victims in this province whether it's ranchers, whether it's cottagers who are ineligible for EFA, First Nations people. We've been there's in the past, we will be there in the future for them.

Mr. Speaker, thank you very much.

Mr. Ted Marcelino (Tyndall Park): Mr. Speaker, it's always a pleasure to speak in this Chamber, especially at this time when a lot of things that have been said about the Tiger Dams, it was a—

Mr. Speaker: Order, please. When this matter is again before the House, the honourable member for Tyndall Park will have nine minutes remaining.

As previously agreed, the one-hour allocation for consideration of private members' resolution has expired, and this House will now recess and stands recessed until 1:30 p.m. this afternoon.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, March 10, 2016

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